

REMARKS

Applicants respectfully request favorable reconsideration of this application.

Claims 7, 8, 10-12, 14, 18 and 19 are pending.

In the Office Action, Claims 7-8, 10-12, 14, and 18-19 were rejected under 35 C.F.R. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,751,667 to Ilnicki (“Ilnicki”) in view of U.S. Patent No. 6,981,265 to Rees (“Rees”). This rejection is respectfully traversed.

Claim 7 recites a method for allowing a client application to establish, in a client network, a first connection at a first security level with a first port of a server application hosted in a server machine, the method comprising, *inter alia*, deleting any message sent from the client network to a third port located in the server machine regardless of a security level of said message, and generating, in the gateway machine, a thread which establishes a second connection at a second security level between the gateway machine and the third port, wherein said third port is configured to receive at least a message at a second security level from the gateway machine via said second connection.

It is apparent that the applied references fail to teach or suggest at least these features. In particular, Ilnicki fails to disclose a second connection at a second security level between the gateway machine and the third port, as claimed in Claim 7.

As acknowledged in the Office Action, at pages 3-4, Ilnicki fails to teach or suggest that the gateway machine establishes a second connection with a third port of the server application. Additionally, the Office Action, at pages 6-7 acknowledges that Rees fails to teach or suggest a connection at a second security level.

However, the Office Action alleges that Ilnicki's failure regarding the presence of a second connection is cured by the teachings found in Rees, because Rees teaches that messages forwarded to port 1 inside the network can be forwarded to a different port inside the network by the gateway. Also, the Office Action alleges that Rees's failure regarding the connection security levels is cured by Ilnicki, because Ilnicki teaches that the gateway "may try to establish a SSL session with the target server using a separate TCP/IP connection" (See Ilnicki, Col.8, lines 46-54, and Office Action, pages 3-4, and 6-7). Applicants respectfully disagree.

Neither Ilnicki nor Rees teaches or suggests generating, in the gateway machine, a thread which establishes a second connection at a second security level between the gateway machine and the third port, wherein the third port is configured to receive at least a message at a second security level from the gateway machine via said second connection, as recited in Claim 7.

First, Ilnicki, as acknowledged by the Office Action, fails to disclose a second connection between the gateway and the third port. Therefore, Ilnicki cannot be relied upon to show that the non-existing second connection is at a second security level only because there might be other connections between the gateway and other ports on the server.

Second, Rees teaches that messages forwarded to port 1 inside the network can be forwarded to a different port inside the network by the gateway. However, Rees cannot be relied upon to show that the forwarding of the message will be specifically to the third port.

Third, Ilnicki fails to teach or suggest not only the security level of the second connection but also the possibility of a second connection with the third port of the

server altogether. Assuming, *arguendo*, that the Office's characterization is correct and there is an unauthorized port (supposedly the third port) in the server which is closed and which blocks all traffic and that all traffic addressed to the non-authorized port does not pass through Ilnicki's gateway (see Office Action, page 6), this would require that Ilnicki's assumed-to-be-present third port is not an authorized port, since Ilnicki's gateway 33 only allows traffic for authorized IP addresses and ports, and supposedly deletes any message sent to an unauthorized port (See pages 3 and 6 of the Office Action). As such, although Ilnicki teaches that the gateway "may try to establish a SSL session with the target server using a separate TCP/IP connection" (See Ilnicki, Col.8, lines 46-54), for the Office's interpretation that a second connection is generated between Ilnicki's gateway and the third port to be valid, Ilnicki has to teach that one of the above-noted separate connections is between the gateway and an unauthorized port (third port). However, Ilnicki fails to teach or suggest any such connection. Moreover, based on the Office's interpretation of Ilnicki, this separate connection cannot be to the third port, since the gateway does not send messages to unauthorized ports.

Additionally, Ilnicki teaches that the connections between the client-gateway and gateway-target server are SSL connections, and thus are at the same security level. Thus, even if the Ilnicki's gateway can use a separate TCP/IP connection to establish the SSL session, it fails to establish a connection which is at a second security level with the third port which is configured to receive at least a message at a second security level from the gateway machine via said second connection.

Applicants further note that Claim 7 specifically recites deleting any message sent from the client network to the third port of the server, and that the third port

receives at least one message at the second security level from the gateway. As such, Ilnicki alone or in combination with the secondary reference must teach a port in the server that fulfills both functions recited in the claim. It does not follow that there is a port on Ilnicki's server to which all messages sent are deleted because it is an unauthorized port, and yet assume that that is the same port that the gateway establishes a connection with at a second security level merely because Ilnicki's gateway can establish a connection with other server ports, and because Rees allows forwarding of messages from one port to another within the network.

Moreover, it also does not follow that merely because Claims 18 and 19 recite that the first security level is different from the second security level, it necessarily means that the first and second security levels are the same in any other claims that recite a first and a second security level (See Office Action, pages 4-5).

Thus, Ilnicki is not understood as teaching or suggesting the above-discussed features of Claim 7.

Nor does Ilnicki inherently disclose the above-discussed features of Claim 7. (See Office Action, page 6). To establish inherency, it must be clear that "the missing descriptive matter is necessarily present in the thing described in the reference." *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (citations omitted).

At page 6 of the Office Action, it is asserted that "Ilnicki further teaches that only authorized and open ports allow communication, so there must exist a port ("a port that isn't the first or second port of the claimed invention") which is closed and blocks all traffic". This, however, does not require that a second connection at a second security level be present between the gateway machine and the supposedly

unauthorized “third” port, nor that the third port be configured to receive at least one message at the second security level from the gateway machine via the second connection. To the contrary, Ilnicki teaches that only authorized ports allow communication, and therefore it would not be necessary to establish a second communication at a second security level between the gateway machine and the supposedly unauthorized “third” port.

Thus, it is apparent that Ilnicki does not teach or suggest, much less require or necessarily disclose, generating, in the gateway machine, a thread which establishes said first connection and a second connection at a second security level between the gateway machine and the third port, where the third port is configured to receive at least one message at the second security level from the gateway machine via said second connection.

Accordingly, Applicants respectfully submit that Claim 7 distinguishes patentably from the applied references.

Claim 14 also recites, *inter alia*, a second connection at a second security level between the gateway machine and a second port of the server application, where any messages sent from the client network to the second port regardless of the security level of the message are deleted by the gateway, and that the second port is configured to receive at least one message at a second security level from the gateway via the second connection.

Therefore, Applicants respectfully submit that independent Claim 14 distinguishes patentably from the applied references for at least the reasons discussed above with respect to Claim 7.

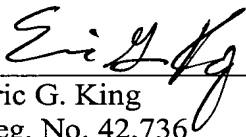
The remaining claims are also believed to be patentable due to their respective dependence from independent Claims 7 and 14, as well as for the additional features recited in the remaining claims.

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. A Notice of Allowance is respectfully requested.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 (T2147-907461) any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby requested.

Respectfully submitted,

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By: 
Eric G. King
Reg. No. 42,736

Miles & Stockbridge P.C.
1751 Pinnacle Drive, Suite 500
McLean, Virginia 22102-3833
Telephone: (703) 610-8647

Otilia Gabor
Re. No. 60,217